

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

PATRICK ANDREW HEBERT

PLAINTIFF

V.

CIVIL ACTION NO. 3:10CV219 DPJ-FKB

COMMISSIONER CHRISTOPHER EPPS, ET AL.

DEFENDANTS

ORDER

This cause came on this date to be heard upon the Report and Recommendation [27] of the United States Magistrate Judge, after referral of hearing by this Court. Magistrate Judge F. Keith Ball recommended granting Defendants' unopposed motions to dismiss [20, 22] Plaintiff's claims for failure to exhaust administrative remedies. The Court, having fully reviewed the unopposed Report and Recommendation of the United States Magistrate Judge entered in this cause, and being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

IT IS, THEREFORE, ORDERED that the Report and Recommendation [27] of United States Magistrate Judge F. Keith Ball be, and the same is hereby, adopted as the finding of this Court, and the same entire action should be dismissed without prejudice.

A separate judgment will be entered herein in accordance with the Order as required by Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED AND ADJUDGED this the 10th day of June, 2011.

s/ Daniel P. Jordan III

UNITED STATES DISTRICT JUDGE